

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,
Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Estate
of Bernard L. Madoff,

Plaintiff,

v.

RICHARD M. GLANTZ, et al.,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05394 (SMB)

AMENDED CASE MANAGEMENT STIPULATION AND ORDER

WHEREAS, on January 19, 2018, Irving H. Picard as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”), and the substantively consolidated chapter 7 estate of Bernard L. Madoff individually, and the defendants (“Defendants,” and together with the Trustee, the “Parties”) entered into a stipulation relating to the Trustee’s filing

of a Second Amended Complaint in the above-captioned adversary proceeding (the “Adversary Proceeding”), and relating to Defendants’ filing of an answer thereto, which stipulation was so ordered by this Court and entered on January 22, 2018 (the “Stipulation and Order”); and

WHEREAS, on January 22, 2018, the Trustee filed the Second Amended Complaint; and

WHEREAS, on March 23, 2018, Defendants filed their Answer and Affirmative Defenses to the Second Amended Complaint; and

WHEREAS, the Court so ordered an Amended Case Management Stipulation and Order on May 21, 2019 providing that the Parties enter mediation of this adversary proceeding prior to fact discovery;

WHEREAS, Melanie Cyganowski, the court-appointed mediator in the above-captioned adversary proceeding submitted a final report pursuant to Local Rule 9019-1 and section 3.4 of the Procedures Governing Mediation of Matters of the United States Bankruptcy Court for the Southern District of New York, dated November 21, 2019, which stated that mediation of this adversary proceeding has concluded; and

WHEREAS, the Court so ordered an Amended Case Management Stipulation and Order on December 5, 2019, which provided that no further extensions will be granted; and

WHEREAS, the remaining element of fact discovery is the prior scheduled deposition of Defendant Richard M. Glantz, which however the Parties have been unable to hold in light of the COVID-19 crisis due to travel restrictions and other public health concerns, and therefore the parties have requested a 45-day extension of the remaining deadlines; and

IT IS THEREFORE MUTUALLY AGREED AND STIPULATED, by and between the Trustee and the Defendants, that the following provisions and deadlines are hereby made applicable to this adversary proceeding:

1. Fact Discovery closed on March 20, 2020, except the parties have agreed by stipulation to conduct the deposition of Defendant Richard M. Glantz on or before September 28, 2020.
2. The Disclosure of Case-in-Chief Experts shall be due: October 28, 2020.
3. The Disclosure of Rebuttal Experts shall be due: December 9, 2020.
4. The Deadline for Completion of Expert Discovery shall be: January 13, 2021.
5. The Parties expressly reserve their rights to seek relief or modification from this Court with regard to any of the provisions herein upon a showing of good cause.

This stipulation may be signed by the parties in any number of counterparts, each of which shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this stipulation shall be deemed an original.

Dated: New York, New York
July 29, 2020

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SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Estate
of Bernard L. Madoff*

*Attorneys for Defendants RICHARD M. GLANTZ,
individually, as trustee of the Glantz-Ostrin Trust
II, as personal representative of the Estate of
Edward R. Glantz, and as administrator of the
Estate of Thelma Glantz; EJS ASSOCIATES, L.P.;
JELRIS & ASSOCIATES, L.P.; GRACE &
COMPANY; THE ESTATE OF EDWARD R.
GLANTZ; LAKEVIEW INVESTMENT, LP; VISTA
MANAGEMENT CO.; LAW & MEDIATION
OFFICES OF RICHARD M. GLANTZ, A
PROFESSIONAL CORPORATION; ELAINE
OSTRIN; THE ESTATE OF THELMA GLANTZ;
and THE GLANTZ-OSTRIN TRUST II*

SO ORDERED

Dated: August 20, 2020
New York, New York

/s/ *Stuart M. Bernstein*

STUART M. BERNSTEIN
United States Bankruptcy Judge